

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 20-cr-20525-1

v.

UNITED STATES DISTRICT COURT JUDGE  
GERSHWIN A. DRAIN

DEMETRIUS DESHAWN BUTLER,

Defendant.

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**OPINION AND ORDER GRANTING DEFENSE COUNSEL’S MOTION TO  
WITHDRAW AS COUNSEL [#23]**

Presently before the Court is Thomas A. Jakuc’s (“Defense Counsel”) Motion to Withdraw as Counsel for Defendant Demetrius Deshawn Butler (“Defendant”), which was filed on January 11, 2021. *See* ECF No. 23. In his Motion, Defense Counsel asserts that there has been a breakdown in the attorney-client relationship to the extent that he should no longer represent Defendant. *Id.* at PageID.50. A hearing on this matter was held on January 27, 2021.

“Federal courts have an independent interest in ensuring that criminal trials are conducted within the ethical standards of the profession and that legal proceedings appear fair to all who observe them.” *Wheat v. United States*, 486 U.S. 153, 160 (1988). Moreover, the Eastern District of Michigan’s Local Rules provide:

(a) An attorney, whether retained or appointed, who enters a post-

indictment appearance shall continue to represent the defendant until the case is dismissed, the defendant is acquitted, or the direct appeal is completed unless the attorney is granted leave to withdraw by the District Court or the Court of Appeals if notice of appeal has been filed.

- (b) An attorney who has appeared in a criminal case may thereafter withdraw only by written motion served upon the defendant personally or at the defendant's last-known address and upon all other parties. The Court may deny a motion to withdraw if the attorney's withdrawal would unduly delay trial of the case, or be unfairly prejudicial to any party, or otherwise not be in the interest of justice.

E.D. Mich. LR 57.1(a), (b).

Here, Defense Counsel explains that he does not feel that he can adequately and properly represent Defendant in the present proceedings in light of the aforementioned breakdown in the attorney-client relationship. ECF No. 23, PageID.50. Based on Defense Counsel's present Motion and the hearing on January 27, 2021, the Court finds that it is in the interest of justice to grant the relief requested. Accordingly, the Court **GRANTS** Defense Counsel's Motion to Withdraw as Counsel [#23].

The Federal Defender Office is appointed to appoint a CJA panel attorney to represent Defendant in this matter. The parties, including newly appointed counsel, shall appear for a Status Conference on February 22, 2021 at 10:00 a.m.

**IT IS SO ORDERED.**

Dated: January 27, 2021

/s/Gershwin A. Drain  
GERSHWIN A. DRAIN  
United States District Judge

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on  
January 27, 2021, by electronic and/or ordinary mail.

/s/ Teresa McGovern  
Case Manager